592 602 671 few juniors avail themselves of this right, which is evidently repugnant to the traditional ideals of obedience and trust towards elders of the taravad.

592 602 695 421 Even traditionally, however, both junior men and women were often consulted in the management of property. If a dispute arose between segments within the group, it was common for appeal to be made to an arbitrator outside the lineage, and a settlement reached and embodied in a document called a karar, which legally bound all adult members. Such a settlement was likely in the case of a very old karanavan who decided to retire in favour of the second man. In a wealthy taravad he might then by common consent be allotted a small house and pension for the duration of his life. In desavari and naduvari taravads, karars were sometimes made to allot separate houses with lands for the maintenance of each of the old women of the group (often the karanavan's own sisters) to live on with their children and grandchildren. All lands continued to be managed by the karanavan, but he paid a sum of paddy from her allotted lands each year to the senior woman of each segment. If one sibling group in a taravad contained only brothers, a karar was sometimes made to allot to them a separate house with lands for the duration of their lives; this then reverted to the group as a whole after their deaths. Karars are however common only in village headmen's, chiefly or royal taravads: too little property is usually 592 602 involved in the taravads of retainer Nayars. Here effective management is commonly divided

9:Iyer E-4, 5 (ca. 1902-1906)1912
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stolen property went to the ruler of the State. If the stolen property was discovered after the escape of the thief, it was returned to the owner after a certain number of days, and a fourth part was appropriated by the State. If, however, a thief refused to confess his guilt, he was confined for a period of eight days during which every method of torture known to the keepers of the prisons was tried to extort his confession. If he continued in reiterating his innocence, it was left to the accuser to elect whether he should be let off or forced to undergo trial by ordeal. In the latter case, on an auspicious day, the accused would be allowed to bathe and recite his daily prayers, after which he was conducted to the idol in the temple. Before the idol he swore that he had not committed the theft nor did he know the guilty person, and plunged his two fingers up to the middle joint into a caldron of boiling oil. If he was burnt, he was accounted guilty of the crime; if unhurt, he was liberated. Another form of proving the guilt or innocence of a prisoner who would not confess his crime, was to make him thrust his hand into a mantle in which a sacred and poisonous snake had been wrapped and force him to lift it out. If he was bitten, he was guilty. A third form was the wading through a tank full of alligators before a pagoda at Palliport, fifteen miles north of Cochin, and if he survived he was considered innocent."[1] Concerning the procedure against the debtors, a curious custom seems to have prevailed, which is thus described by *Varthema*:—

"Let us suppose the case that some one has to pay me twenty-five ducats, and the debtor promises me to pay them many times and does not pay them. I, not being willing to wait any longer, nor to give him any indulgence, shall take a green branch in my hand, shall go softly behind the debtor, and with the said branch shall draw a circle on the ground surrounding him; and if I can enclose him in a circle, shall say to him these words three times: 'I command you by the head of the Brahmans and the king that you do not depart hence, until you have paid me and satisfied me as much as I ought to have from thee,' and he will satisfy me or truly he will die without any other guard, and should he quit the said circle, the king will put him to death."

"It has been already said, that the nobles enjoyed exemption and privileges, and that they could not be taken and put in irons; but if a noble were to rob or kill any one or a cow or to sleep with a woman of low caste or of the Brahmans

1. Letters from Malabar by J. C. Visscher, pages 68–69.